

FORM PTO-1390 (REV. 10-2003) <b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 205332-9011-US01
		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/511381</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/US2003/011698</b>	INTERNATIONAL FILING DATE <b>16 April 2003</b>	EARLIEST PRIORITY DATE CLAIMED <b>18 April 2002</b>	
<b>TITLE OF INVENTION</b> <b>MODULAR CANTILEVERED SHELVING ASSEMBLY AND METHOD</b>			
<b>APPLICANT(S) FOR DO/EO/US</b> <b>KESSEL, Steven M., MACHADO, Paul J., KELLY, Francis Aloysius, HOSKER, Bruce W., POTTER, Michael D., SALTER, Bobby L., and WALTERS, Peterjohn R. C.</b>			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))        a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).        b. <input type="checkbox"/> has been communicated by the International Bureau.        c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).        a. <input type="checkbox"/> is attached hereto.        b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))        a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).        b. <input type="checkbox"/> have been communicated by the International Bureau.        c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.        d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>			
<b>Items 11 to 20 below concern document(s) or information included:</b>			
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items of information: Courtesy Copy of Article 34 Amendment; Copies of Non-Patent References</p>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/511381</b>	INTERNATIONAL APPLICATION NO. PCT/US2003/011698	ATTORNEY'S DOCKET NUMBER 205332-9011-US01																				
<p><b>21. <input checked="" type="checkbox"/> The following fees are submitted:</b></p> <p><b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a) (1) – (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,110.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$950.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO But international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$790.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO But all claims did not satisfy provisions of PCT Article 33(I)-(4).....\$750.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO And all claims satisfied provisions of PCT Article 33(I)-(4).....\$100.00</p> <p style="text-align: center;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p>		<b>CALCULATIONS PTO USE ONLY</b>																				
<p><b>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(e)).</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>56</td> <td>36</td> <td>x \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>8</td> <td>5</td> <td>x \$88.00</td> </tr> <tr> <td colspan="2"><b>MULTIPLE DEPENDENT CLAIM(S) if applicable</b></td> <td colspan="2">+ \$300.00</td> </tr> <tr> <td colspan="4" style="text-align: center;"><b>TOTAL ABOVE CALCULATIONS =</b></td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	56	36	x \$18.00	Independent Claims	8	5	x \$88.00	<b>MULTIPLE DEPENDENT CLAIM(S) if applicable</b>		+ \$300.00		<b>TOTAL ABOVE CALCULATIONS =</b>				\$730.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																			
Total Claims	56	36	x \$18.00																			
Independent Claims	8	5	x \$88.00																			
<b>MULTIPLE DEPENDENT CLAIM(S) if applicable</b>		+ \$300.00																				
<b>TOTAL ABOVE CALCULATIONS =</b>																						
<p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by <math>\frac{1}{2}</math>.</p>		<b>SUBTOTAL =</b> \$1818.00																				
<p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(f)).</p>		<b>TOTAL NATIONAL FEE =</b> \$1818.00																				
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be Accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p>		<b>TOTAL FEES ENCLOSED =</b> \$1858.00																				
		Amount to be refunded: \$																				
		Charged: \$																				

a.  Checks in the amount of \$1858.00 to cover the above fees are enclosed.

b.  Please charge my Deposit Account No. 50-1965 in the amount of \$1858.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1965. A duplicate copy of this sheet is enclosed.

d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Date: 10/14/04

  
 Martin L. Stein, Reg. No. 28,911  
 MICHAEL, BEST & FRIEDRICH, LLP  
 401 North Michigan Avenue  
 Suite 1900  
 Chicago, Illinois 60611  
 Telephone: (312) 222-0800

10/511381

DT05 Rec'd PCT/PTO 14 OCT 2004

CERTIFICATE OF MAILING

EXPRESS MAIL Mailing Label No. EV047730121US

Date: 10-14-04

I hereby certify that the above listed papers or fees are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, addressed to MAIL STOP: PCT, COMMISSIONER FOR PATENTS P.O. BOX 1450, ALEXANDRIA, VA 22313-1450. The person mailing these papers/fees is:

PRINT: Joel Alba

SIGNATURE

Page 3 of 3

S:\client\205332\9011\C0422263.1